



The Task Force on Court Facilities
455 Golden Gate Avenue, San Francisco, CA 94102-3660

FUTURE NEEDS / PROJECTIONS COMMITTEE MEETING

Meeting Report

January 27, 1999

Mission Inn, Riverside, CA

TASK FORCE ATTENDEES: COMMITTEE MEMBERS: PRESENT: Mr. Anthony Tyrrell, Chair Mr. Wylie A. Aitken Hon. Joan B. Bechtel Mr. John A. Clarke ABSENT: Ms. Yvonne Campos	PRESENTERS: Mr. Andrew Cupples, Daniel, Mann, Johnson & Mendenhall TASK FORCE STAFF: Mr. Robert Lloyd – Project Coordinator / Senior Facilities Planner GUESTS: Mr. Jack Miller, San Diego County, General Services Mr. Kevin Stinson, San Diego County
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I. Two items were on the agenda for discussion

- 1) Results of the Statistical Oversight Meeting Held in Sacramento on January 12, and
- 2) Continuing discussion regarding the projection of future need

II. Results of the Statistical Oversight Meeting Held in Sacramento on January 12

- 1) Mr. Lloyd led the discussion of the presentation to the Statistical Oversight Working Group regarding the projection methodology. He indicated that their primary concern was to come to agreement on the veracity of the methodology. He stressed to the Working Group and Committee again, that the purpose of this effort was to take a long-range view as a basis for assessing probable space requirements – not for specifying the number of judges required or recommended at a point in the future. He indicated that one of the primary concerns of the Working Group was that multiple models were used and then selectively discarded on a case type by case type basis, raising a concern that the process was not purely mathematical, and the projections were in someway skewed. He pointed specifically to the Municipal projections as contributing to a level of discomfort for the Working Group.

Mr. Lloyd indicated that, as a result of the meeting, it became clear that the “discarded” models really were those which had little or no statistical relevance, rather than being a subjective decision. A key element of the discussion was that a model that is statistically significant in the aggregate (i.e. all Superior Court filings) may not be significant when looked at on a desegregated basis (i.e. only Superior Court Family Law Filings). He indicated that at the end of the all day review meeting, the Statistical Oversight Committee was satisfied with the validity of the

methodology as a basis for space planning, He noted that it was agreed that the statewide projections were intended to set an overall parameter for planning that would act as a benchmark for developing county projections. He also noted that it was agreed that a forward would be developed stressing the limited intent for using these projections and that a similar footnote would be placed on each page of the projections report.

- 2) Several questions were raised by the Committee:
 - a) John Clarke wanted to know how these projections fit with the judicial projections effort of the AOC. Bob Lloyd indicated that the AOC projections are intended for a different purpose – justifying additional judicial positions were for a much shorter range and therefore there should be no conflict.
 - b) John Clarke also expressed a concern about translating these to the County level. While this may be an appropriate benchmark for statewide needs, individual counties will vary. Need to look at factors driving individual county projections.
 - c) Wiley Aitken asked what are the choices – move forward, start over, use some other projection as a basis for planning? Bob Lloyd pointed out that at this point in time the statewide projections are valid as a basis for planning, and that additional information will be developed at the County level.
 - d) Joan Bechtel and Tony Tyrell expressed concern that the final results are viewed as reasonable – otherwise, the total study and its recommendations will be called into question. Bob indicated that one of the primary reasons that the Committee appointed the Statistical Oversight Group was to involve those agencies that would be looking at the numbers throughout the process as a means of getting buy-in prior to publishing the results.
 - e) John Clarke suggested that it may be good to skip the notion of number of judges in order to lessen concerns regarding the numbers. He asked if there was something else we could tie space needs to such as directly to caseload, or generalized historic growth of the system. After discussion it was determined that whatever we did would ultimately be translatable to judicial positions (i.e. projecting the number of courtrooms) and that there probably was not a good way around this dilemma.
- 3) After discussion, the Committee agreed that work should move forward with County projections, with the understanding that the statewide projection creates “ceiling” for planning, and that the county projections should be looked at with a conservative view to the future.

III. Continuing discussion regarding the projection of future need

- 1) The discussion commenced with a review of information generated at the last Committee Meeting (12/2 in San Francisco).
- 2) Key issues of discussion are summarized as follows: Note *that items requiring follow-up are indicated in bold face italics.*
 - a) *Recognizing that the statewide averages “hide” extremes at either end of the scale, the Committee is interested in a presentation of how California counties compare as a basis for*

developing county projections. San Diego and Los Angeles were offered as two counties that are perceived at opposite ends of the scale. Factors to be compared may include:

- (1) Filings/judge*
- (2) Dispositions/Judge*
- (3) Judges/Population*
- (4) Number/Percentage of Jury Trials*
- (5) Current Backlog*
- (6) Average time to Disposition*
- (7) Comparison of this data to Statewide Averages used in Projection Models*

Comparative data should be developed for each case type and grouped according to similarity in counties i.e. small rural system, medium size system and large urban systems.

The Committee is interested in understanding these differences and taking an active role with the consultant in establishing policy level decisions regarding County projections.

- 3) The Committee also requested similar data for Appellate Courts. Wylie Aitken pointed out that the length of the appeals process varies significantly from his experience, and as a basis for looking at future need, it would be helpful to have an understanding of the basis for this variance. He suggested a review of case mix by county/division/district as a basis for developing a philosophical approach to appellate projections.*
- 4) The Committee decided to delete a review of potential legislative changes affecting the court system from its review of issues, since this will be too dynamic over the twenty year planning horizon to be meaningful.*
- 5) The Committee expressed significant concern regarding how the impact of consolidation would affect current and future need. Bob Lloyd noted that a Working Group was being chartered by the Space Standards Committee to focus on the space issues related to consolidation, and that perhaps this working group could undertake the review on behalf of the Committee. After discussion, the Committee determined that since this was an important enough issue that they wanted to be involved directly. They requested presentations as follows;*
 - a) Presentation by AOC or other appropriate party of what the anticipated impacts of consolidation were as presented to the legislature. In other words, what was “promised” as a result of consolidation vis-à-vis the impact on the Court system*
 - b) Panel discussion from Courts that have been consolidated (or coordinated) for a period of time regarding their experience regarding impacts on judicial and staff resources. It was recommended that representation be from a large urban county (San Diego), Medium size system (Riverside) and a smaller county (Sutter).*
- 6) John Clarke raised a question regarding what the assumptions will be regarding the continued use of authorized vs. subordinate non-judicial officers and retired judges. He indicated that this may have an impact on projection modeling. Counties where the Board of Supervisors are willing to pay for these positions vs. those where they or not may show lower caseloads. The issue cuts both ways – some counties may have “excess” FTE’s due to Board support, while others may in fact be “short”, as these positions are not funded. He requested that a summary comparison table be*

prepared as part of the comparisons noted above, identifying authorized vs. other positions as another factor to be considered in final approval of individual County projections.

In response, it was noted that the projections would only deal total FTE's without differentiating by type of position. He indicated that he understood this, but that the current mix should be understood as part of the County comparison vis-à-vis accepting policy for future planning.

- IV.** The need for a Committee meeting at the next Task Force meeting 3/24 in Fresno is predicated on the ability to set-up guest speakers and to compile projections.